

# Attorney General

<b>DIVISION SUMMARY:</b>	<b>FY 2006 Total Appr</b>	<b>FY 2006 Actual</b>	<b>FY 2007 Total Appr</b>	<b>FY 2008 Request</b>	<b>FY 2008 Gov Rec</b>	<b>FY 2008 Approp</b>
<b>BY PROGRAM</b>						
State Legal Services	15,303,500	15,263,100	15,565,400	17,600,500	16,086,300	17,671,200
Special Litigation	2,649,400	1,030,000	2,571,000	951,600	951,600	951,600
Total:	17,952,900	16,293,100	18,136,400	18,552,100	17,037,900	18,622,800
<b>BY FUND SOURCE</b>						
General	17,324,500	15,705,800	17,778,900	18,371,300	16,858,700	17,877,900
Dedicated	628,400	587,300	357,500	180,800	179,200	179,800
Federal	0	0	0	0	0	565,100
Total:	17,952,900	16,293,100	18,136,400	18,552,100	17,037,900	18,622,800
Percent Change:		(9.2%)	11.3%	2.3%	(6.1%)	2.7%
<b>BY EXPENDITURE CLASSIFICATION</b>						
Personnel Costs	14,557,200	14,516,300	14,511,300	16,620,000	15,156,600	16,543,900
Operating Expenditures	3,390,400	1,709,100	3,367,900	1,771,000	1,747,600	1,885,400
Capital Outlay	5,300	67,700	232,200	136,100	108,700	168,500
Trustee/Benefit	0	0	25,000	25,000	25,000	25,000
Total:	17,952,900	16,293,100	18,136,400	18,552,100	17,037,900	18,622,800
Full-Time Positions (FTP)	180.65	180.65	187.15	196.15	185.15	201.15

In accordance with Section 67-3519, Idaho Code, this agency is authorized no more than 201.15 full-time equivalent positions at any point during the period July 1, 2007 through June 30, 2008 for the programs specified.

	<b>FTP</b>	<b>Gen</b>	<b>Ded</b>	<b>Fed</b>	<b>Total</b>
<b>FY 2007 Original Appropriation</b>	<b>185.15</b>	<b>16,064,400</b>	<b>307,500</b>	<b>0</b>	<b>16,371,900</b>
Reappropriations	0.00	1,619,400	0	0	1,619,400
Supplementals	2.00	95,100	50,000	0	145,100
<b>FY 2007 Total Appropriation</b>	<b>187.15</b>	<b>17,778,900</b>	<b>357,500</b>	<b>0</b>	<b>18,136,400</b>
Expenditure Adjustments	0.00	(700,000)	0	0	(700,000)
<b>FY 2007 Estimated Expenditures</b>	<b>187.15</b>	<b>17,078,900</b>	<b>357,500</b>	<b>0</b>	<b>17,436,400</b>
Removal of One-Time Expenditures	0.00	(1,018,700)	(181,800)	0	(1,200,500)
<b>FY 2008 Base</b>	<b>187.15</b>	<b>16,060,200</b>	<b>175,700</b>	<b>0</b>	<b>16,235,900</b>
Benefit Costs	0.00	165,700	600	0	166,300
Inflationary Adjustments	0.00	0	0	0	0
Replacement Items	0.00	118,200	0	0	118,200
Statewide Cost Allocation	0.00	3,400	0	0	3,400
Annualizations	0.00	2,200	0	0	2,200
Change in Employee Compensation	0.00	674,700	3,500	0	678,200
<b>FY 2008 Program Maintenance</b>	<b>187.15</b>	<b>17,024,400</b>	<b>179,800</b>	<b>0</b>	<b>17,204,200</b>
Line Items	14.00	853,500	0	565,100	1,418,600
<b>FY 2008 Total</b>	<b>201.15</b>	<b>17,877,900</b>	<b>179,800</b>	<b>565,100</b>	<b>18,622,800</b>
% Chg from FY 2007 Orig Approp.	8.6%	11.3%	(41.5%)		13.7%
% Chg from FY 2007 Total Approp.	7.5%	0.6%	(49.7%)		2.7%

## I. Attorney General: State Legal Services

**STARS Number & Budget Unit:** 160 ATAB

**Bill Number & Chapter:** H326 (Ch.345), S1193 (Ch.177)

PROGRAM DESCRIPTION: Provides legal assistance to agencies on civil matters, represents the state in criminal matters, and provides overall administrative support for the office.

<b>PROGRAM SUMMARY:</b>	<b>FY 2006 Total Appr</b>	<b>FY 2006 Actual</b>	<b>FY 2007 Total Appr</b>	<b>FY 2008 Request</b>	<b>FY 2008 Gov Rec</b>	<b>FY 2008 Approp</b>
<b>BY FUND SOURCE</b>						
General	14,675,100	14,675,800	15,207,900	17,419,700	15,907,100	16,926,300
Dedicated	628,400	587,300	357,500	180,800	179,200	179,800
Federal	0	0	0	0	0	565,100
Total:	15,303,500	15,263,100	15,565,400	17,600,500	16,086,300	17,671,200
Percent Change:		(0.3%)	2.0%	13.1%	3.3%	13.5%
<b>BY EXPENDITURE CLASSIFICATION</b>						
Personnel Costs	14,557,200	14,516,300	14,511,300	16,620,000	15,156,600	16,543,900
Operating Expenditures	741,000	694,900	796,900	819,400	796,000	933,800
Capital Outlay	5,300	51,900	232,200	136,100	108,700	168,500
Trustee/Benefit	0	0	25,000	25,000	25,000	25,000
Total:	15,303,500	15,263,100	15,565,400	17,600,500	16,086,300	17,671,200
Full-Time Positions (FTP)	180.65	180.65	187.15	196.15	185.15	201.15
<b>DECISION UNIT SUMMARY:</b>						
	<b>FTP</b>	<b>General</b>	<b>Dedicated</b>	<b>Federal</b>	<b>Total</b>	
<b>FY 2007 Original Appropriation</b>	<b>185.15</b>	<b>15,112,800</b>	<b>307,500</b>	<b>0</b>	<b>15,420,300</b>	
1. Trailer to H166 Medicaid Fraud Unit	2.00	95,100	50,000	0	145,100	
<b>FY 2007 Total Appropriation</b>	<b>187.15</b>	<b>15,207,900</b>	<b>357,500</b>	<b>0</b>	<b>15,565,400</b>	
Removal of One-Time Expenditures	0.00	(99,300)	(181,800)	0	(281,100)	
<b>FY 2008 Base</b>	<b>187.15</b>	<b>15,108,600</b>	<b>175,700</b>	<b>0</b>	<b>15,284,300</b>	
Benefit Costs	0.00	165,700	600	0	166,300	
Replacement Items	0.00	118,200	0	0	118,200	
Statewide Cost Allocation	0.00	3,400	0	0	3,400	
Annualizations	0.00	2,200	0	0	2,200	
Change in Employee Compensation	0.00	674,700	3,500	0	678,200	
<b>FY 2008 Maintenance (MCO)</b>	<b>187.15</b>	<b>16,072,800</b>	<b>179,800</b>	<b>0</b>	<b>16,252,600</b>	
1. Commerce & Labor Attorney	1.00	118,900	0	0	118,900	
3. Civil Litigation Paralegal/Investigator	1.00	68,800	0	0	68,800	
4. Juvenile Corrections Attorney	1.00	87,200	0	0	87,200	
5. Criminal Appellate Attorney	1.00	92,000	0	0	92,000	
6. Third-Party & Estate Recovery	4.00	267,200	0	0	267,200	
12. Trailer to H166 Medicaid Fraud Unit	6.00	219,400	0	565,100	784,500	
<b>FY 2008 Total Appropriation</b>	<b>201.15</b>	<b>16,926,300</b>	<b>179,800</b>	<b>565,100</b>	<b>17,671,200</b>	
% Change From FY 2007 Original Approp.	8.6%	12.0%	(41.5%)		14.6%	
% Change From FY 2007 Total Approp.	7.5%	11.3%	(49.7%)		13.5%	

APPROPRIATION HIGHLIGHTS: Benefit costs were adjusted to restore one medical insurance premium holiday and seven life insurance premium holidays. JFAC also stipulated that increases in health insurance costs be paid from reserves. Replacement items included \$96,100 for computer equipment and software, \$1,900 for one focus projector, \$1,000 for one fax machine, \$13,200 for miscellaneous office equipment, \$5,000 for one security system, and \$1,000 for one digital camera. Statewide cost allocation reflected changes in State Controller and State Treasurer fees, and changes in property and casualty insurance premiums. The Change in Employee Compensation was funded at 5%. Line items included funding to add one deputy attorney general for Commerce and Labor; one civil litigation paralegal in the Attorney General's Office for work on the Tobacco Master Settlement Agreement; one deputy attorney general for the Department of Juvenile Corrections; one criminal appellate attorney in the Attorney General's Office to deal with increased appellate caseload; and one deputy attorney general and three secretaries in the Department of Health and Welfare to handle Medicaid third-party and estate recoveries.

To offset the first year cost of adding attorneys to Commerce and Labor, Juvenile Corrections, and the Department of Health & Welfare, the Attorney General agreed to revert \$700,000 in General Funds from the Special Litigation Program at the end of this fiscal year. After the first year, these departments will be billed through the Statewide Cost Allocation Plan for legal services rendered. In this manner, the state will be able to legally collect against federal and dedicated funds. Moneys collected through the Statewide Cost Allocation Plan are deposited directly into the General Fund.

OTHER LEGISLATION: H326 was a trailer appropriation bill to implement the provisions of House Bill 166 that established a Medicaid Fraud Unit within the Criminal Division of the Office of the Attorney General. This unit consists of two attorneys, two investigators, two auditors, one paralegal, and one legal secretary. It will also receive a 90% federal match for the first three years after certification, and then will receive a 75% match in subsequent years.

<b>FY 2008 APPROPRIATION:</b>	<b>FTP</b>	<b>Pers. Cost</b>	<b>Oper Exp</b>	<b>Cap Out</b>	<b>T/B Pymnts</b>	<b>Lump Sum</b>	<b>Total</b>
G 0001-00 General	199.15	16,034,700	733,600	0	25,000	0	16,793,300
OT G 0001-00 General	0.00	0	10,300	122,700	0	0	133,000
D 0349-04 Consumer Protection	2.00	92,900	86,900	0	0	0	179,800
F 0348-00 Federal Grant	0.00	416,300	95,600	0	0	0	511,900
OT F 0348-00 Federal Grant	0.00	0	7,400	45,800	0	0	53,200
Totals:	201.15	16,543,900	933,800	168,500	25,000	0	17,671,200

## II. Attorney General: Special Litigation

**STARS Number & Budget Unit:** 160 ATAA

**Bill Number & Chapter:** S1193 (Ch.177)

PROGRAM DESCRIPTION: The funds in this program are used to engage private legal representation or consultants, for costs required for extraordinary unanticipated litigation or due to ethical conflict between governmental entities, or when special expertise is needed which the Attorney General's staff does not possess.

<b>PROGRAM SUMMARY:</b>	<b>FY 2006 Total Appr</b>	<b>FY 2006 Actual</b>	<b>FY 2007 Total Appr</b>	<b>FY 2008 Request</b>	<b>FY 2008 Gov Rec</b>	<b>FY 2008 Approp</b>
<b>BY FUND SOURCE</b>						
General	2,649,400	1,030,000	2,571,000	951,600	951,600	951,600
Percent Change:		(61.1%)	149.6%	(63.0%)	(63.0%)	(63.0%)
<b>BY EXPENDITURE CLASSIFICATION</b>						
Operating Expenditures	2,649,400	1,014,200	2,571,000	951,600	951,600	951,600
Capital Outlay	0	15,800	0	0	0	0
Total:	2,649,400	1,030,000	2,571,000	951,600	951,600	951,600

<b>DECISION UNIT SUMMARY:</b>	<b>FTP</b>	<b>General</b>	<b>Dedicated</b>	<b>Federal</b>	<b>Total</b>
<b>FY 2007 Original Appropriation</b>	<b>0.00</b>	<b>951,600</b>	<b>0</b>	<b>0</b>	<b>951,600</b>
Reappropriations	0.00	1,619,400	0	0	1,619,400
<b>FY 2007 Total Appropriation</b>	<b>0.00</b>	<b>2,571,000</b>	<b>0</b>	<b>0</b>	<b>2,571,000</b>
Expenditure Adjustments	0.00	(700,000)	0	0	(700,000)
<b>FY 2007 Estimated Expenditures</b>	<b>0.00</b>	<b>1,871,000</b>	<b>0</b>	<b>0</b>	<b>1,871,000</b>
Removal of One-Time Expenditures	0.00	(919,400)	0	0	(919,400)
<b>FY 2008 Base</b>	<b>0.00</b>	<b>951,600</b>	<b>0</b>	<b>0</b>	<b>951,600</b>
<b>FY 2008 Total Appropriation</b>	<b>0.00</b>	<b>951,600</b>	<b>0</b>	<b>0</b>	<b>951,600</b>
% Change From FY 2007 Original Approp.		0.0%			0.0%
% Change From FY 2007 Total Approp.		(63.0%)			(63.0%)

APPROPRIATION HIGHLIGHTS: Provides a base level of funding for fiscal year 2008.

LEGISLATIVE INTENT: Carryover authority was granted for any unexpended and unencumbered balance of the General Fund to be used for non-recurring expenditures.

<b>FY 2008 APPROPRIATION:</b>	<b>FTP</b>	<b>Pers. Cost</b>	<b>Oper Exp</b>	<b>Cap Out</b>	<b>T/B Pymnts</b>	<b>Lump Sum</b>	<b>Total</b>
G 0001-00 General	0.00	0	951,600	0	0	0	951,600